

Before the
FEDERAL COMMUNICATIONS COMMISSION
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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)

Advanced Television Systems)
and Their Impact Upon the)
Existing Television)
Broadcast Service)

MM Docket No. 87-268

To: The Commission

COMMENTS OF THE
UTILITIES TELECOMMUNICATIONS COUNCIL

Pursuant to Section 1.415 of the Federal Communications Commission's (FCC) Rules, the Utilities Telecommunications Council (UTC) hereby submits its comments with respect to the Second Further Notice of Proposed Rule Making (Second FNPRM),¹ 7 FCC Rcd 5376, FCC 92-332, released August 12, 1992, in the above-captioned proceeding.^{1/}

I. Introduction

UTC is the national representative on communications matters for the nation's electric, gas, water, and steam utilities. Approximately 2,000 utilities are members of UTC, ranging in size from large combination electric-gas-water utilities serving millions of customers to small, rural electric

^{1/} On September 30, 1992, the Commission extended the original filing dates for Comments and Reply Comments to November 2, 1992, and December 2, 1992, DA 92-1344. The Commission then further extended the filing dates for Comments and Reply Comments to November 16, 1992, and December 16, 1992 respectively, DA 92-1445, 57 Fed Reg. 48494 (October 26, 1992).

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cooperatives and water districts serving only a few thousand customers. All members of UTC are eligible for licensing in the Power Radio Service, and all utilities rely on private land mobile radio systems to assure reliable and secure communications for the safe and efficient operation of their public service utility systems. UTC is also the certified frequency coordinator for land mobile frequencies in the Power Radio Service. UTC is therefore pleased to have this opportunity to comment on the Commission's proposed channel allotments for Advanced Television (ATV) stations.

II. Background

The Second FNPRM is part of the FCC's on-going proceeding to implement ATV in the U.S. The Commission plans to introduce ATV through a transition program in which broadcasters will maintain service to existing National Television System Committee (NTSC) receivers until ATV becomes the prevalent medium. To facilitate this transition, broadcasters will be provided with a second 6 MHz UHF channel to allow them to operate both ATV and NTSC services simultaneously. At the end of the transition period broadcasters will be required to relinquish the original NTSC service VHF channels.

As a preliminary matter, it must be noted that UTC supports the consolidation of television broadcasting into the UHF band, as this will allow the Commission to reallocate the VHF band to

those services, such as private land mobile radio, that are in dire need of additional spectrum. Therefore, UTC supports a firm date for the conversion to ATV and the mandatory relinquishment of VHF broadcasting channels.^{2/} UTC intends to elaborate on this point in its Comments on the FCC's Third FNPRM.

While UTC is interested in FCC's disposition of the existing VHF broadcasting channels after conversion to ATV, UTC is also vitally concerned with the specifics of the Commission's ATV allotments. A significant portion of the UHF spectrum that the FCC proposes to allocate to broadcasters for ATV conversion channels is shared with the Private Land Mobile Radio Services. Thus, any ATV allotments in the UHF band must consider potential interference to adjacent and co-channel private land mobile radio services.

III. The Geographic Spacing For ATV Allotments Must Protect Adjacent And Co-Channel Private Land Mobile Operations

The current rules authorize sharing of UHF television channels 14-20 in the 470-512 MHz band with private land mobile radio operations in 13 urban areas, the Gulf of Mexico offshore region and Hawaii. Under the rules, new television allotments

^{2/} UTC is troubled by the Commission's announced intention to review the conversion date several times, Memorandum Opinion and Order/Third Report and Order/Third Further Notice of Proposed Rulemaking (Third FNPRM), MM Docket No. 87-268, released October 16, 1992. In announcing its intention to review the conversion date several times the FCC is sending a mixed signal to broadcasters regarding the firmness of the conversion deadline.

for NTSC stations are evaluated for interference to adjacent or co-channel private land mobile use on a case-by-case basis. The FCC's analysis uses the spacing standards derived from policy statements announced by the Commission in Docket No. 18261. The spacing standards require the transmitter site of a new TV station to be at least 212 miles from the city-center of a co-channel private land mobile operation, and at least 140 miles from the city-center of an adjacent channel private land mobile operation.

The FCC anticipates that ATV transmitters will operate with 10 dB less power than NTSC transmitters, and therefore believes that the existing separation standards between UHF TV stations and private land mobile operations can be reduced without increasing the level of interference to land mobile operations. Accordingly, in the Second FNPRM the Commission is proposing to reduce the separation distance between a new ATV station and a co-channel private land mobile operation to 155 miles, and to reduce the adjacent channel separation distance to 110 miles.

UTC generally concurs that under the Commission's existing rules the proposed separation spacing between ATV stations and adjacent and co-channel private land mobile systems would provide adequate interference protection to private land mobile operations. However, UTC is concerned that the FCC's proposal does not take into account the Commission's on-going proceeding

to replace Part 90 with a new Part 88, PR Docket No. 92-235, in which the Commission is proposing, among other measures, to lower transmit power levels and antenna heights for private land mobile radio systems. Thus, the additional protection anticipated from the lower power levels of ATV systems may be offset by a corresponding reduction in land mobile radio power levels. Other technical changes are being proposed for the private land mobile services, and the Commission must take these changes into consideration before it reduces the current separation spacing distance between UHF TV stations and adjacent and co-channel private land mobile radio operations in the 470-512 MHz band. Moreover, in no event should the Commission reduce the separation spacing distances between ATV stations and private land mobile stations until after the specific power levels of ATV systems are established.

IV. The Proposed Short Spaced ATV Allotments Do Not Provide Adequate Interference Protection To Co-Channel and Adjacent Land Mobile Operations

The Commission's proposed ATV Table of Allotments contains one allotment that would require short-spacing with respect to co-channel private land mobile operations, and it contains five ATV allotments where short-spacing would be necessary with adjacent channel private land mobile operations. UTC notes that the Land Mobile Communications Council (LMCC) objects to the proposed short-spaced allotments. LMCC argues that these allotments provide insufficient interference protection to

impacted land mobile operations. Utilities rely on mobile communications systems for the timely restoration of critical services, and the risk of interference to these communications systems is unacceptable. Thus, UTC urges the FCC not to adopt ATV allotments that require short-spacing until more is known about the operating characteristics of ATV systems.

V. The FCC Must Continue To Protect Land Mobile Operations On Channels Adjacent To UHF Channels 14 And 69

The Commission's table of ATV Allotments contains a large number of allotments of UHF channels 14 and 69, and yet the FCC does not mention the importance of protecting adjacent channel land mobile operations from interference. Interference to land mobile operations from television stations operating on UHF channels 14 and 69 has been a highly contentious issue prompting a rulemaking, MM Docket No. 87-465, in which the FCC adopted specific requirements protecting land mobile operations. Under the FCC's Report and Order (R&O) in MM Docket No. 87-465, licensees of TV stations on channels 14 and 69 must limit out-of-band emissions so as to permit reasonable use of adjacent frequencies by land mobile licensees. Moreover, broadcasters must identify potential interference problems prior to construction. The broadcast licensee must install filters or take other precautions necessary to ensure that no interference is caused to existing land mobile facilities.^{3/}

^{3/} R&O in MM Docket No. 87-465, 6 FCC Rcd 5148 (1991).

Land mobile operations on channels adjacent to UHF channels 14 and 69 will require the same protection from ATV operations as they are currently accorded for NTSC systems. UTC therefore urges the Commission to clarify that the interference protection requirements that it adopted in MM Docket No. 87-465 will remain applicable to ATV stations.^{4/}

VI. The Commission Should Not Reallocate Channels 15 and 16 In Detroit And Channels 14 And 15 In Cleveland To ATV Use

Existing border agreements with Canada currently preclude the licensing of land mobile stations on UHF channels 15 and 16 in Detroit and Channels 14 and 15 in Cleveland. The Commission therefore proposes to reallocate these channels, which are currently reserved for land mobile use, to ATV.

UTC opposes this suggestion. There is a need for additional private land mobile spectrum in the Detroit and Cleveland areas and it is anticipated that this need will increase in the near-future. To reallocate these channels to ATV would be counterproductive. Instead the FCC should redouble its efforts to secure a satisfactory agreement with Canada to allow these land mobile channels to be activated.

^{4/} UTC notes that subsequent to the adoption of the R&O in MM Docket No. 87-465 the Association for Maximum Service Television, Inc. (MSTV) filed a "Petition for Reconsideration." UTC, through its participation in the LMCC, filed an "Opposition to the Petition for Reconsideration." The MSTV petition is currently pending before the Commission.

VII. Conclusion

The FCC should require all broadcasters to relocate to the UHF band and surrender their existing VHF channels on a date certain. The relinquished VHF broadcast channels should be made available to the Private Land Mobile Radio Services which are currently facing a spectrum shortage.

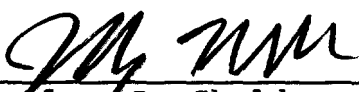
When adopting separation standards between ATV systems and adjacent channel and co-channel land mobile operations, the FCC must consider the impact of any anticipated changes in private land mobile radio operations as a result of the FCC's proceeding to replace Part 90 with Part 88. Further, the FCC must not reduce existing spacing standards until it knows the operating characteristics of ATV systems with some degree of certainty.

The FCC cannot risk potential interference to vital land mobile communications systems, and thus, the Commission must revise its proposed ATV allotments to eliminate ATV short-spacing to co-channel and adjacent channel land mobile systems. Finally, the FCC should retain UHF channels 15 and 16 in Detroit and channels 14 and 15 in Cleveland for mobile use, and the FCC should pursue an agreement with Canada on the use of these channels for land mobile operations.

WHEREFORE, THE PREMISES CONSIDERED, the Utilities Telecommunications Council respectfully requests the Federal Communications Commission to take action consistent with the views expressed herein.

Respectfully submitted,

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